

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow are respectfully requested.

As noted in the Office Action Summary, claims 1-36 are pending in the application. Applicant notes with appreciation the indication of allowable subject matter with respect to claims 4, 5, 19-22, 24, 28-31, 34 and 35.

By the foregoing amendments, claim 1 has been revised for clarification and consistency with other claims.

Applicant thanks the Examiner for her time and consideration during the telephonic interview of December 13 and 14, 2004. During the interview, the present claims as well as the applied *Tabuchi* (U.S. Patent No. 5,611,006) and *Nakanishi* (U.S. Patent No. 6,257,772) documents were discussed. More specifically, the present claim language relating to the non-orthogonal angle was discussed. Applicant noted that in the case of claim 1, for example, the non-orthogonal angle is that angle formed between (a) the intersection of (i) a sidewall of each of the first and second groove sections with (ii) a respective side of the pit, and (b) a longitudinal axis of the respective groove section. Applicant further noted that neither *Tabuchi* nor *Nakanishi* discloses such a non-orthogonal angle. The Examiner agreed to consider applicant's arguments on receipt of the present paper.

Claims 1-3, 6-10, 12-14, 23 and 25-31 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by *Tabuchi* (U.S. Patent No. 5,611,006). In addition, claim 11 stands rejected under 35 U.S.C. §103(a) as being obvious over *Tabuchi*. These rejections are respectfully traversed for the following reasons.

Tabuchi relates to an integrated optical device, and more particularly, to a hybrid-type integrated optical device having optical components such as laser diodes, photo-isolators, and photodiodes integrated on a single substrate (col. 1, lines 8-12).

Tabuchi does not disclose or suggest each feature of the present invention. For example, *Tabuchi* does not disclose or suggest first and second wet-etched groove sections each having a sidewall that intersects a respective side of the pit at a non-orthogonal angle relative to a longitudinal axis of the respective groove section, as recited

in claim 1. Nor does that document disclose or fairly suggest the side of each dry-etched pit intersecting a respective sidewall of an adjoining wet-etched section at a non-orthogonal angle relative to the longitudinal axis of the respective wet-etched section, as set forth in independent claim 23. With reference to Figure 14, the angles formed between the intersection of sidewalls of *Tabuchi's* wet-etched sections 24, 42d and pit 25d sidewalls relative to the longitudinal axis of the respective wet-etched section are orthogonal, not non-orthogonal. Further, there is no suggestion, incentive or motivation, absent applicant's own specification, to make such a modification.

Accordingly, withdrawal of the §102 and §103 rejections based on *Tabuchi* is respectfully requested.

Claims 15-18, 23, 25-27, 32, 33 and 36 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by *Nakanishi et al* (U.S. Patent No. 6,257,772). This rejection is respectfully traversed for the following reasons.

Nakanishi discloses a planar type photodiode (PD) module that includes a planar substrate, a first V-groove formed in the longitudinal direction on the substrate, a path-changing groove formed in the lateral direction vertically to the first V-groove on the substrate for ensuring a space at an extension of the first V-groove, an optical fiber fixed in the first V-groove for guiding signal light, a slanting reflection plane formed at the front wall of the path-changing groove for reflecting the light emanating from the fiber, and a PD chip with a width B and a length C mounted on three spots of the substrate over the path-changing groove, the PD lying above the path-changing groove and the slanting reflection plane.

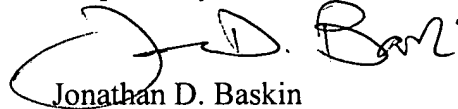
Nakanishi does not disclose or suggest each feature of applicant's invention. For example, *Nakanishi* does not disclose or fairly suggest the non-orthogonal angle as recited in independent claims 15 and 23. With reference to Figure 10, for example, *Nakanishi* discloses a partition groove 36 having a front wall 38 that intersects V-grooves 34, 35 at an angle orthogonal to, not non-orthogonal to, the longitudinal axis of the grooves 34, 35.

Accordingly, withdrawal of the §102 rejection based on *Nakanishi* is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at her earliest convenience.

Respectfully submitted,



Jonathan D. Baskin

Attorney for Applicant
Registration No. 39,499
Telephone No.: (508) 787-4766
Facsimile No.: (508) 787-4730

c/o EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
Date: December 14, 2004